

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

BRIAN KERRY O'KEEFE,
Petitioner,
v.

TIM GARRETT, *et al.*,
Respondents.

Case No. 3:22-cv-00327-LRH-CLB

ORDER

Brian Kerry O'Keefe, an individual incarcerated at Nevada's Lovelock Correctional Center, has submitted an application to proceed *in forma pauperis* (ECF No. 4); a petition for writ of habeas corpus (ECF No. 1-1); a motion for appointment of counsel (ECF No. 5); and a motion, in the alternative, for conversion of this case to an action under 42 U.S.C. § 1983 (ECF No. 3). In light of the information provided in the *in forma pauperis* application, the Court finds that O'Keefe is able to pay the filing fee.

IT IS THEREFORE ORDERED that Petitioner's application to proceed *in forma pauperis* (ECF No. 4) is **DENIED**. Petitioner will have 30 days from the date of this order to have the filing fee of five dollars (\$5) sent to the Clerk of the Court. Failure to comply with this order will result in dismissal of this action.

IT IS FURTHER ORDERED that the Clerk of the Court is directed to send Petitioner two copies of this order. Petitioner must make the necessary arrangements to have a copy of this order and payment of the filing fee sent to the Clerk of the Court.

DATED THIS 4th day of August, 2022.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE